THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.16523 of 2005

29.07.2005

BETWEEN

1.Sri Pati Sudershan Reddy, s/o P.Kista Reddy, aged about 37 years, Occ: Employee, R/o Pedda Mangalaram Village, Moinabad Mandal, Ranga Reddy District and others

PETITIONER

AND

1.The State of A.P., rep. By its Special Chief Secretary to the Revenue Department, Secretariat, Hyderabad and others

RESPONDENTS

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.16523 of 2005

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ORDER: --

Heard the learned Counsel for the petitioners and the learned Government Pleader for Revenue.

2. The writ petition is filed questioning the action of the third respondent-Sub-Registrar, Champapet, Rangareddy District, in not registering and releasing the sale deeds of the petitioners as per G.O.Ms.No.807, Revenue (Registration-I) Department, dated 13-10-2004, as illegal, arbitrary, discriminatory, violative of principles of natural justice and contrary to G.O.Ms.No.807 dated 13-10-2004 and consequently to direct the third respondent to release the sale deeds of the petitioners after due registration of their respective plots.

3. The petitioners contend that they purchased certain residential plots in S.Nos.57 to 60, situated at Karmanghat village, Saroornagar Mandal, Rangareddy District. They paid the requisite registration fee and submitted their sale deeds to the third respondent for registration. But, the third respondent refused to register the sale deeds on the ground that the State Government had issued G.O.Ms.No.751 dated 12-12-2001, wherein it was declared that registration of documents of immovable property in the said survey numbers was opposed to public policy. All the
Sub-Registrars were directed not to register any sale deeds pertaining to the said survey numbers and to pass refusal orders. Subsequently, Government issued G.O.Ms.No.807 dated 13-10-2004 under
sub-section (1) of Section 22-A of the Registration Act, 1908, de-notifying the earlier notification issued in G.O.Ms.No.751 dated 12-12-2001 in respect of the lands situated in the said survey numbers.

4. It is the case of the petitioners that in the light of G.O.Ms.No.807 dated 13-10-2004, the objections raised by the third respondent, on
the basis of G.O.Ms.No.751 dated 12-12-2001, do not exist. The petitioners placed reliance on the judgment of this Court in W.P.No.11805 of 2005 dated 07-06-2005, wherein this Court directed the respondents to release the documents presented by the petitioners for registration without raising any objection on the basis of the said G.O.Ms.No.751 dated
12-12-2001. However, this Court made it clear that the order passed in W.P.No.11805 of 2005 dated 07-06-2005 did not disable the registering authority to withhold the registration of documents, if there were some other objections for the registration of the documents, other than on the basis of G.O.Ms.No.751 dated 12-12-2001 and if there be other objections, the registering authority was directed to

communicate such objections to the petitioners.

5. Accordingly this writ petition is also disposed of in terms of the order passed in W.P.No.11805 of 2005, dated 07-06-2005 with the following directions: The respondents shall release the documents presented by the petitioners for registration without raising any objections on the basis of G.O.Ms.No.751 dated 12-12-2001. The registering authority, however, is not disabled from withholding registration if there are some other objections to the registration of the documents other than on the basis of G.O.Ms.No.751 dated 12-12-2001. If there be other objections, the registering authority shall communicate such objections to the petitioners.

6. The writ petition is disposed of accordingly. No order as to costs.

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JUSTICE RAMESH RANGANATHAN

Dt.29-07-2005

GLV